

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)
)
Plaintiff/Respondent,) No. CR 02-0422-PHX-PGR
) CV 06-0357-PHX-PGR (LOA)
)
v.)
) **ORDER**
)
Luis F. Hernandez,)
)
Defendant/Movant.)
_____)

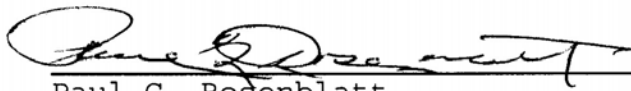
The Court having reviewed *de novo* the Report and Recommendation of Magistrate Judge Lawrence O. Anderson and no party having filed any objection to the Report and Recommendation,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation (**Doc. 50**) is **ACCEPTED and ADOPTED** by the Court.

IT IS FURTHER ORDERED that Movant's Motion to Vacate, Correct, or Set Aside Sentence by Person in Federal Custody Pursuant to 28 U.S.C. § 2255 (Doc. 44, CR 02-0422-PHX-PGR) is **DENIED**. The Clerk of the Court is directed to enter judgment accordingly.

IT IS FURTHER ORDERED that Respondent's Motion to Dismiss (Doc. 4, CV 06-0357-PHX-PGR) is **GRANTED**. The Clerk of Court is directed to enter judgment accordingly.

1 DATED this 26th day of July, 2006.

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4 Paul G. Rosenblatt
5 United States District Judge
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